

HIGHER EDUCATION

EDUCATIONAL OPPORTUNITY FUND

Undergraduate EOF Academic and Financial Eligibility; Graduate EOF Financial

Eligibility

Grant Amounts

Proposed Amendments: N.J.A.C. 9A:11-2.6 and 3.4

Authorized By: Educational Opportunity Fund Board of Directors, Audrey Bennerson, EOF
Statewide Director.

Authority: N.J.S.A. 18A:71-28 et seq., and 18A:71-33 through 36; and Executive Reorganization
Plan 005-2011.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2014-090.

Submit written comments by August 15, 2014, to:

Ms. Audrey Bennerson

Administrative Practice Officer

New Jersey Higher Education

E-mail: Audrey.Bennerson@njhe.state.nj.us

Regular Mail:

PO Box 542

Trenton, NJ 08625-0542

Delivery:

20 West State Street

Trenton, New Jersey 08608

The agency proposal follows:

Summary

The Educational Opportunity Fund (EOF) program provides students from educationally disadvantaged backgrounds with financial aid and other support services while attending participating New Jersey colleges and universities. The program is a collaborative effort. Under the general supervision of the Secretary of Higher Education, the EOF Board of Directors (EOF Board) administers the EOF program and the participating institutions directly serve students.

Working with participating institutions, the EOF Board maintains a Statewide system to identify and recruit potential college students from backgrounds of historical poverty, develops eligibility criteria for EOF financial assistance based on students' income and their potential for success in college, establishes procedures to determine the amount of the academic year grants according to the total financial need of each student, and advises on the development, organization, and coordination of a wide range of educational support and enrichment activities.

A change to N.J.A.C. 9A:11-2.6(d) is proposed that will delete the phrase "type of institution" and replace it with "sector of higher education." In addition, the words "and Universities" will be added to the "State Colleges," and "Rutgers, NJIT, UMDNJ-SHRP" are also proposed for deletion, to be replaced with "Public Research Universities." In N.J.A.C. 9A:11-3.4(d) the change proposed also deletes the phrase "type of institution" and replaces it with "sector of higher education." In addition, "Rutgers, NJIT" are proposed for deletion, and will be replaced with "Public Research Universities," and "UMDNJ" is also proposed for deletion, to be replaced with "Biomedical and Health Sciences Schools."

The recent implementation of the New Jersey Medical and Sciences Higher Education Restructuring Act (N.J.S.A. 18A:64M-1 et seq.) requires the proposed changes to achieve consistency in the nomenclature for New Jersey's sectors of higher education. The proposed amendments will place Rowan University in the public research universities sector and eliminate the University of Medicine and Dentistry, which no longer exists.

As the EOF Board has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement at N.J.A.C. 1:30-3.3(a)5.

Social Impact

EOF students come from every county in New Jersey. They have generally lived and attended high school in neighborhoods characterized by depressed economic conditions, substandard educational services, and unequal opportunities. Approximately 60 percent of total EOF enrollment comes from the State's most distressed municipalities (communities that have been designated "labor surplus areas" by the New Jersey Department of Labor and Workforce Development and the U.S. Bureau of Labor Statistics). The vast majority of EOF students spend their elementary and secondary school years in public school districts that by all objective measures fail to provide the level of educational preparation required for success in the more demanding curricula and challenging majors of colleges and universities in this State. The change in nomenclature for New Jersey's sectors of higher education will have no impact on EOF student enrollment because all of the participating campus programs receive an annual allocation of EOF Article III student grant funds to enroll undergraduate and graduate students.

Economic Impact

During the 2012-13 academic year, the EOF program had 12,370 undergraduate and graduate students enrolled in 59 programs at 41 New Jersey colleges and universities. Approximately \$16.7 million of the annual \$38.3 million dollar appropriation is used for EOF Article III academic year undergraduate and graduate student financial aid grants. The proposed amendments will have no direct impact on the total number of students awarded grants or the total cost of the program.

Federal Standards Statement

The proposed amendments do not require a Federal standards analysis under Executive Order No. 27 (1994) and N.J.S.A. 52:14B-22 et seq. because EOF was established by New Jersey legislation, is wholly supported by State appropriations, and is not subject to any Federal requirements or standards.

Jobs Impact

The proposed amendments will not result in the generation or loss of any jobs in New Jersey.

Agriculture Industry Impact

The proposed amendments will have no impact on the agriculture industry in New Jersey.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the proposed amendments do not impose requirements on small businesses as defined by the Regulatory Flexibility Act, N.J.S.A.

52:14B-16 et seq. The proposed amendments pertain strictly to public colleges and universities and to publicly funded independent colleges and universities in New Jersey, none of which qualify as a small business, as they employ more than 100 full-time employees.

Housing Affordability Impact Analysis

The proposed amendments will have an insignificant impact on affordable housing in New Jersey and there is an extreme unlikelihood that the proposed amendments will evoke a change in the average costs associated with housing because the amendments have been proposed to reflect the current nomenclature for New Jersey's sectors of higher education.

Smart Growth Development Impact Analysis

The Office of the Secretary of Higher Education staff believes there is an extreme unlikelihood that the proposed amendments would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the amendments have been proposed to reflect current nomenclature for New Jersey's sectors of higher education.

Full text of the proposal follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 2. UNDERGRADUATE EOF ACADEMIC AND FINANCIAL ELIGIBILITY

9A:11-2.6 Grant amounts

(a)-(c) (No change.)

(d) The Board shall annually review the State grant amounts for EOF students and make adjustments, if necessary. The minimum and maximum semester and maximum academic year award ranges for full- and part-time Article III undergraduate student grants for each [type of institution] **sector of higher education** follows.

| <u>Undergraduate</u> | <u>Semester Minimum</u> | <u>Semester Maximum</u> | <u>Academic Year Maximum</u> |
|---|-------------------------|-------------------------|------------------------------|
| <u>Community Colleges</u> | | | |
| Full-time | \$100.00 | \$525.00 | \$1,050[.00] |
| Part-time: | | | |
| 6-8 credits | \$100.00 | \$263.00 | \$526.00 |
| 9-11 credits | \$100.00 | \$394.00 | \$788.00 |
| <u>State Colleges and Universities</u> | | | |
| <u>Commuter</u> | | | |
| Full-time | \$100.00 | \$575.00 | \$1,150[.00] |
| Part-time: | | | |
| 6-8 credits | \$100.00 | \$288.00 | \$576.00 |
| 9-11 credits | \$100.00 | \$431.00 | \$862.00 |
| <u>Residential</u> | | | |
| Full-time | \$100.00 | \$700.00 | \$1,400[.00] |
| Part-time: | | | |
| 6-8 credits | \$100.00 | \$427.00 | \$854.00 |
| 9-11 credits | \$100.00 | \$560.00 | \$1,120[.00] |
| [Rutgers, NJIT, UMDNJ-SHRP] <u>Public Research Universities</u> | | | |
| <u>Commuter</u> | | | |
| Full-time | \$100.00 | \$575.00 | \$1,150[.00] |
| Part-time: | | | |
| 6-8 credits | \$100.00 | \$288.00 | \$576.00 |
| 9-11 credits | \$100.00 | \$431.00 | \$862.00 |
| <u>Residential</u> | | | |
| Full-time | \$100.00 | \$700.00 | \$1,400[.00] |
| Part-time: | | | |
| 6-8 credits | \$100.00 | \$427.00 | \$854.00 |
| 9-11 credits | \$100.00 | \$560.00 | \$1,120[.00] |
| <u>Independent Colleges</u> | | | |
| Full-time | \$100.00 | \$1,250[.00] | \$2,500[.00] |
| Part-time: | | | |
| 6-8 credits | \$100.00 | \$625.00 | \$1,250[.00] |
| 9-11 credits | \$100.00 | \$938.00 | \$1,876[.00] |

SUBCHAPTER 3. GRADUATE EOF FINANCIAL ELIGIBILITY

9A:11-3.4 Grant amounts

(a)-(c) (No change.)

(d) The Board shall annually review the State grant amounts for EOF students and make adjustments, if necessary. The minimum and maximum semester and maximum academic year award ranges for Article III graduate grants for each [type of institution] **sector of higher education** follows:

| <u>Graduate</u> | Semester <u>Minimum</u> | Semester <u>Maximum</u> | Academic Year <u>Maximum</u> |
|---|----------------------------|----------------------------|---------------------------------|
| State Colleges and Universities | \$100.00 | \$1,150[.00] | \$2,300[.00] |
| Independent | 100.00 | 1,425[.00] | 2,850[.00] |
| [Rutgers, NJIT] Public Research Universities | 100.00 | 1,425[.00] | 2,850[.00] |
| [UMDNJ] Biomedical and Health Sciences Schools | 100.00 | 2,175[.00] | 4,350[.00] |

(e) (No change.)